

CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS**ENTERED**THE DATE OF ENTRY IS ON
THE COURT'S DOCKET**The following constitutes the ruling of the court and has the force and effect therein described.****Signed August 1, 2019**
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:**ANGEL REE SANSOM
DEBTOR**

§ CASE NO. 17-43890-ELM

§

§

§

§

§

§

CHAPTER 13**JUDGE EDWARD L. MORRIS**

**AGREED ORDER DETERMINING AMOUNT DEEMED NECESSARY TO CURE
PURSUANT TO MID-CASE NOTICE BY CHAPTER 13 TRUSTEE**

Pursuant to Local Bankruptcy Rule 3002-2(b), the Chapter 13 Trustee filed and served his/her "Notice of Amount Deemed Necessary to Cure" ("Notice") Docket #37 on the below named mortgage creditor. Such Notice contained negative notice language as authorized by Local Bankruptcy Rule 9007-1, informing the mortgage creditor of their obligation to file and serve a Response within 60 days, or else the information contained in the Notice would be deemed unopposed and/or undisputed.

The below named mortgage creditor filed a timely Response. The parties have reached an agreement as indicated by their signatures on this Order.

The Court FINDS that the Trustee has made post-petition monthly mortgage payments to the Mortgage Lender totaling \$16,930.26 for payments due December 2017 to March 2019 as follows:

<u>Date</u>	<u>Payee / Batch</u>	<u>Payee / Reserve Name</u>	<u>Check / Source</u>	<u>Description</u>	<u>Disbursements</u>
4/24/2019	<u>2</u>	<u>FIRST UNITED BANK & TRUST COMPANY</u>	<u>3084714</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Feb/2019 thru Mar/2019	\$3,282.22
12/26/2018	<u>2</u>	<u>FIRST UNITED BANK & TRUST COMPANY</u>	<u>3080522</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Jan/2019	\$974.86
11/30/2018	<u>2</u>	<u>FIRST UNITED BANK & TRUST COMPANY</u>	<u>3079473</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Dec/2018	\$974.86

10/30/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3078324</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Nov/2018	\$974.86
9/25/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3077233</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Oct/2018	\$974.86
8/28/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3076139</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Sep/2018	\$974.86
7/31/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3075003</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Aug/2018	\$974.86
6/26/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3073867</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Jul/2018	\$974.86
5/29/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3072754</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Jun/2018	\$974.86
4/30/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3071594</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS May/2018	\$974.86
3/27/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3070458</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Apr/2018	\$974.86
2/27/2018	<u>2</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3069396</u>	Disbursement to Creditor - Continuing Debt - MONTHLY DISBURSEMENTS Dec/2017 thru Mar/2018	\$3,899.44
Totals:					\$16,930.26

The Court FINDS the Trustee has made post-petition GAP payments to the Mortgage Lender totaling \$1,949.72 as follows:

<u>Date</u>	<u>Payee / Batch</u>	<u>Payee / Reserve Name</u>	<u>Check / Source</u>	<u>Description</u>	<u>Disbursements</u>
3/27/2018	<u>3</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3070458</u>	AMOUNTS DISBURSED TO CREDITOR - MONTHLY DISBURSEMENTS	\$492.60
2/27/2018	<u>3</u>	FIRST UNITED BANK & TRUST COMPANY	<u>3069396</u>	AMOUNTS DISBURSED TO CREDITOR - MONTHLY DISBURSEMENTS	\$1,457.12
Totals:					\$1,949.72

IT IS THEREFORE ORDERED that as of March 19, 2019, the principal amount necessary to cure any pre-petition and/or post-petition home mortgage arrearage claims filed with the court by the below named mortgage creditor is as follows:

Mortgage Creditor/ Holder of Claim	PRE/POST/ON-GOING	Court Claim #	Trustee Claim #	Amount
FIRST UNITED BANK & TRUST	PRE-PETITION	12	1	\$0.00

Case No. 17-43890
BDFTE #8287344

IT IS FURTHER ORDERED that except as noted above, as of July 17, 2019, the debtor was due for 1/1/19 – 7/1/19, plus the balance of \$1,205.98 remaining on the GAP payments, for the total amount of \$11,111.37, on Court Claim #12 due to a lower ongoing mortgage payment amount which was paid by the Trustee pursuant to the Court's Order Approving Trustee's Recommendation Concerning Claims

IT IS FURTHER ORDERED that the above named creditor shall be precluded from asserting any other pre-petition (cure) amounts on Court Claim #12 that allegedly accrued before the date of the Notice, March 19, 2019, in any Contested Matter or Adversary Proceeding in this case, or in any other manner, matter, or forum after a discharge in this case, without further order of the Court.

APPROVED:

/s/ PAUL KIM
ATTORNEY FOR MORTGAGE CREDITOR

/s/ ETHAN S. CARTWRIGHT
STAFF ATTORNEY FORT WORTH CHAPTER 13 TRUSTEE

/s/ 
ATTORNEY FOR DEBTOR

END OF ORDER